

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

DONALD PRATOLA,	:	
	:	
Petitioner,	:	Civ. No. 14-6405 (RBK)
	:	
v.	:	
	:	MEMORANDUM AND ORDER
NEW JERSEY STATE PAROLE BOARD, et al.,	:	
	:	
Respondents.	:	
	:	

Petitioner is a state prisoner proceeding *pro se* with an amended petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Presently pending before the Court is petitioner's motion for default/default judgment. (*See* Dkt. No. 17.)

On December 4, 2014, this Court issued an order to answer on respondents. (*See* Dkt. No. 8.) Respondents were given forty-five days in which to file an answer to the amended habeas petition. Prior to the expiration of that forty-five day period, on January 16, 2015, respondents' requested an extension of time to file their answer to the habeas petition. (*See* Dkt. No. 15.)

On January 20, 2015, this Court received petitioner's motion for default/default judgment. (*See* Dkt. No. 17.) Petitioner argued in his motion that respondent failed to comply with this Court's December 4, 2015 Order such that he should be entitled to default judgment on his habeas petition. On the same day, January 20, 2015, this Court granted respondents' request for an extension of time to file an answer. (*See* Dkt. No. 18.) Respondent was given until February 17, 2015 in which to file an answer to the amended habeas petition. Subsequently, respondents filed an answer to the amended habeas petition on February 12, 2015. (*See* Dkt. No. 19.)

Respondents were given additional time by the Court to file their answer. Respondents complied with the Court's order such that their answer is considered timely filed. Thus, petitioner's motion for default/default judgment will be denied.

Accordingly, IT IS this 11th day of August, 2015,

ORDERED that petitioner's motion for default/default judgment (Dkt. No. 17.) is denied; and it is further

ORDERED that the Clerk shall serve this Order on petitioner by regular U.S. mail.

s/Robert B. Kugler
ROBERT B. KUGLER
United States District Judge